

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:10CV177-RLV**

MONROE HERRING)
 Petitioner,)
))
 vs.))
))
))
UNITED STATES OF AMERICA)
 Respondent.)
_____)

ORDER

THIS MATTER is before the Court on Petitioner's Motion To Compel Government Response, filed on November 4, 2011.(Doc. No. 8)

The Petitioner, Mr. Monroe Herring, was sentenced on March 26, 2007 to 240 months in prison, plus 10 years of supervised release.¹ Mr. Herring filed a Motion to Vacate and Correct the Sentence on November 16, 2010. (Doc. No. 2) As of January 30, 2012, the Government has not responded to the Petitioner's Motion.

After careful review of the Motion, the Court finds that the United States Attorney should file a response to Petitioner's Motion so that this matter can be resolved.

IT IS, THEREFORE, ORDERED that no later than twenty (20) days from the filing of this Order, the United States Attorney file a response to Petitioner's Motion To Vacate, Set Aside, or Correct Sentence.



Richard L. Voorhees
United States District Judge



Signed: January 30, 2012

¹ Defendant pled guilty to Count One in the Indictment of case 5:05CR202, conspiracy to possess with intent to distribute at least 50 grams of a mixture and substance containing a detectable amount of cocaine base and five kilograms of a mixture and substance containing a detectable amount of cocaine.